

Attorney Docket No. 1949

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

English Language Declaration

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

USE OF BOTULINUM TOXINS FOR TREATING VARIOUS DISORDERS AND CONDITIONS AND ASSOCIATED PAIN
the specification of which

(check one)

☒ Is attached hereto.

☐ was filed on December 28, 1993 as Application Serial No. 08/173,996 and was amended on

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Robert J. Baran
Reg. No. 25,806

Martin A. Voet
Reg. No. 25,802

Walter A. Hackler
Registration No. 27,792

Send Correspondence to:
Walter A. Hackler
2372 S.E. Bristol, Suite B
Santa Ana Heights, CA 92707
U.S.A.

Howard R. Lambert
Reg. No. 27,206

Direct Telephone Calls to:
Walter A. Hackler
(714) 851-5010

Full Name of Sole or First Inventor:

K. Roger Aoki

Inventor's Signature:

✓ *K. Roger Aoki*

Date Signed:

✓ 1/4/94

Residence (City, State and/or Country):

25472 Earhart Road, Laguna Hill, CA 92653

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

/

Full Name of Second Joint Inventor (if any):

Michael W. Grayston

Second Inventor's Signature:

✓ *Michael W. Grayston*

Date Signed:

✓ 1/6/94

Residence (City, State and/or Country):

12 Mandarin, Irvine, CA 92714

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

/

Full Name of Third Joint Inventor (if any):

Steven R. Carlson

Third Inventor's Signature:

✓ *Steven R. Carlson*

Date Signed:

✓ 1/8/94

Residence (City, State and/or Country):

29991 Happy Sparrow Lane, Laguna Niguel, CA 92677

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

/

Full Name of Fourth Joint Inventor (if any):

Judith M. Leon

Fourth Inventor's Signature:

Judith M. Leon

Date Signed:

✓ 1/20/94

Residence (City, State and/or Country):

29992 Running Deer Lane, Laguna Niguel, CA 92677

Citizenship:

USA

Post Office Address (Street, City, State, Zip Code, Country):

✓

Full Name of Fifth Joint Inventor (if any):

Fifth Inventor's Signature:

Date Signed:

Residence (City, State and/or Country):

Citizenship:

Post Office Address (Street, City, State, Zip Code, Country):

Full Name of Sixth Joint Inventor (if any):

Sixth Inventor's Signature:

Date Signed:

Residence (City, State and/or Country):

Citizenship:

Post Office Address (Street, City, State, Zip Code, Country):

Full Name of Seventh Joint Inventor (if any):

Seventh Inventor's Signature:

Date Signed:

Residence (City, State and/or Country):

Citizenship:

Post Office Address (Street, City, State, Zip Code, Country):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: AOKI, *et al.*) Examiner: (Parent App.: A. Gupta)
Serial No.: Pending)
Filed: Submitted herewith)
For: METHOD FOR TREATING)
DYSTONIA WITH BOTULINUM)
TOXIN TYPE B) Irvine, California

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please recognize Stephen Donovan, Reg. No. 33,433, as an Associate Attorney in the above-identified patent application, with full power to prosecute said application, to make alterations and amendments therein, to receive and respond to all communications from the United States Patent & Trademark Office, and to transact all business in the United States Patent & Trademark Office related thereto.

Please direct all correspondence and inquiries to:

Stephen Donovan
Senior Patent Attorney
Allergan, Inc.
2525 Dupont Drive
Irvine, CA 92612
Telephone: 714 246 4026
Fax: 714 246 4249

Respectfully submitted,

Date: January 18, 2000

By: Martin A. Voet
Martin A. Voet, Reg. No. 25,208
Allergan, Inc.
2525 Dupont Drive
Irvine, CA 92612
Telephone: 714 246 5894

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this Associate Power of Attorney and any additional documents set forth as being enclosed herein are being deposited with the United States Postal Service on the date shown below, with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231.

Mary Stickle
Name of person mailing paper

Mary Stickle
Signature of person mailing paper

Date: January 18, 2000

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PATENT DEPT.

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ASSIGNMENT

Docket No. 1949

WHEREAS, WE, K. Roger Aoki, Michael W. Grayston, Steven R. Carlson, and Judith M. Leon, all citizens of the United States of America, residing at 25472 Earhart Road, Laguna Hills, CA 92653; 12 Mandarin, Irvine, CA 92714; 29991 Happy Sparrow Lane, Laguna Niguel, CA 92677, and 29992 Running Deer Lane, Laguna Niguel, CA 92677 respectively, have invented certain new and useful improvements in USE OF BOTULINUM TOXINS FOR TREATING VARIOUS DISORDERS AND CONDITIONS AND ASSOCIATED PAIN for which application for Letters Patent of the United States was filed on December 28, 1993 under application number 08/173,996.

WHEREAS, ALLERGAN, INC., a Delaware Corporation, 2525 Dupont Drive, Irvine, California 92715 is desirous of obtaining the entire right, title and interest in the said improvements and the said application: USE OF BOTULINUM TOXINS FOR TREATING VARIOUS DISORDERS AND CONDITIONS AND ASSOCIATED PAIN

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby severally and jointly, sell, assign, transfer and set over, unto the said ALLERGAN, INC.

its successors, legal representatives and assigns, our respective rights, titles and interests, and the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues, thereof; and we hereby authorize and request the Commission of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ALLERGAN, INC.

its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ALLERGAN, INC.

its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ALLERGAN, INC.

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PATENT DEPT.

its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 4th day of January, 1994.

State of CALIFORNIA) K. Roger Aoki
County of ORANGE) ss.:

On this 4th day of JANUARY, 1994, before me a Notary Public in and for the State and County aforesaid, personally appeared K. ROGER AOKI known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL



Mary Lou McNown

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 6th day of JANUARY, 1994.

State of CALIFORNIA) Michael W. Grayston
County of ORANGE) ss.:

On this 6th day of JANUARY, 1994, before me a Notary Public in and for the State and County aforesaid, personally appeared MICHAEL W. GRAYSTON known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL



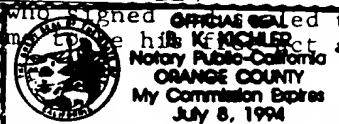
Mary Lou McNown

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18th day of January, 1994.

State of CALIFORNIA) Steven R. Carlson
County of ORANGE) ss.:

On this 18th day of January, 1994, before me a Notary Public in and for the State and County aforesaid, personally appeared Steven R. Carlson known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL



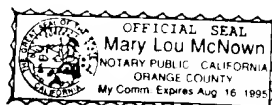
Steven R. Carlson

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 20th day of January, 1994.

State of CALIFORNIA) Judith M. Leon
County of ORANGE) ss.:

On this 20th day of January, 1994, before me a Notary Public in and for the State and County aforesaid, personally appeared JUDITH M. LEON known to me to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his free act and deed.

SEAL



Mary Lou McNown